

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL

MAY 11, 2009

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of May 11, 2009 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:04 p.m. by Mayor Grasso.

PLEDGE OF ALLEGIANCE was conducted by Jenna Barakat of Anne M. Jeans Elementary School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Sodikoff, Wott, Paveza, Allen, Grela, DeClouette & Mayor Grasso. Also present were Village Administrator Steve Stricker, Director of Public Works Paul May, Community Development Director Doug Pollock, Police Chief John Madden, Village Clerk Karen Thomas and Village Attorney Scott Uhler.

There being a quorum, the meeting was open to official business.

OATH OF OFFICE FOR NEWLY ELECTED OFFICIALS

Retired Judge Joseph N. Casciato presided over the oath of office for Karen Thomas, Trustees Wott and Sodikoff and Mayor Grasso. Judge Raymond Jagielski presided over the oath of office for Trustee Grela.

AUDIENCE There was none at this time.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by the President, motion was made by Trustee DeClouette and seconded by Trustee Paveza that the Consent Agenda – Omnibus Vote, (attached as Exhibit A), and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 6 – Trustees DeClouette, Paveza, Wott, Sodikoff, Allen & Grela

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

MINUTES – REGULAR MEETING OF APRIL 27, 2009 were approved for publication under the Consent Agenda by Omnibus Vote.

MINUTES – (DRAFT) HOTEL MARKETING SUBCOMMITTEE MEETING OF APRIL 21, 2009 were noted as received and filed under the Consent Agenda by Omnibus Vote.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

MINUTES – (DRAFT) DOWNTOWN EVENTS PLANNING COMMITTEE MEETING OF MAY 4, 2009

were noted as received and filed under the Consent Agenda by Omnibus Vote.

RESOLUTION APPROVING EXTRATERRITORIAL FINAL PLAN WATERFALL GLEN EXECUTIVE CENTER/PLANNED DEVELOPMENT DISTRICT (DUPAGE COUNTY – 9701 KINGERY HIGHWAY)

The Board, under the Consent Agenda by Omnibus Vote, approved the Resolution authorizing the Village Clerk and the Village Engineer to sign a Final Plat of Subdivision for the Waterfall Glen Planned Unit Development District located at 97th Street between Jackson Street and Kingery Highway.

THIS IS RESOLUTION NO. R-12-09.

APPROVAL OF DOWNTOWN EVENTS PLANNING COMMITTEE RECOMMENDATION TO PURCHASE EVENT TENT

The Board, under the Consent Agenda by Omnibus Vote, approved the Downtown Events Planning Committee's recommendation to award the contract to purchase an event tent at the cost of \$4,190 from Classic Party Rentals of McCook, Illinois

APPROVAL OF RECOMMENDATION TO RENEW CONTRACT WITH VILLAGE PROSECUTOR

The Board, under the Consent Agenda by Omnibus Vote, approved the recommendation to renew the contract of Village Prosecutor Linda Pieczynski for June 1, 2009 through May 31, 2010 at no increase in the current per-court session fee of \$180 for sessions of two hours or less and in her hourly rate of \$130.

RECOMMENDATION TO PURCHASE AUTOCAD UPGRADE SOFTWARE

The Board, under the Consent Agenda by Omnibus Vote, approved the recommendation to purchase of AutoCAD 2010 from DLT Solutions at the government rate of \$7,283.66.

REQUEST FROM THE BURR RIDGE PARK DISTRICT FOR GENERAL FUNDS (FARMERS MARKET)

The Board, under the Consent Agenda by Omnibus Vote, approved the request for a \$1,200 contribution toward the Park District's Farmers Market on the Village Green from July 2 through September 24.

REQUEST FROM I&M CANAL NATIONAL HERITAGE CORRIDOR FOR DONATION FROM THE HOTEL/MOTEL TAX FUND (DUES)

The Board, under the Consent Agenda by Omnibus Vote, approved the request for a \$2,900 contribution toward the I&M National Heritage Corridor Civic Center Authority annual dues.

REQUEST FROM THE PLEASANT DALE PARK DISTRICT FOR HOTEL/MOTEL TAX FUNDS (JULY 4 CELEBRATION)

The Board, under the Consent Agenda by Omnibus Vote, approved the request for a \$1,000 contribution for the Pleasant Dale Park District's July 4 celebration.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

REQUEST FROM THE BURR RIDGE PARK DISTRICT FOR HOTEL/MOTEL TAX FUNDS (HARVEST FEST) The Board, under the Consent Agenda by Omnibus Vote, approved the request for a \$1,000 contribution for the Burr Ridge Park District's Harvest Fest.

REQUEST FROM THE FLAGG CREEK HERITAGE SOCIETY FOR HOTEL/MOTEL TAX FUNDS The Board, under the Consent Agenda by Omnibus Vote, approved the request for a \$2,500 contribution toward its continued operation of the Flagg creek Heritage Society museum.

RESIGNATION LETTER OF VILLAGE PLANNER AARON COOK The resignation letter of Village Planner, Aaron Cook, was noted as received and filed under the Consent Agenda by Omnibus Vote.

FY 08-09 VOUCHERS in the amount of \$226,504.18 for the period ending May 11, 2009 were approved for payment under the Consent Agenda by Omnibus Vote.

FY 09-10 VOUCHERS in the amount of \$17,962.91 for the period ending May 11, 2009 and payroll in the amount of \$205,878.53 for the period ending May 2, 2009 were approved for payment under the Consent Agenda by Omnibus Vote.

RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT BETWEEN THE ILLINOIS TOLLWAY HIGHWAY AUTHORITY AND THE VILLAGE OF BURR RIDGE FOR THE ACQUISITION OF A PERMANENT EASEMENT FOR THE 71ST STREET EXTENSION

Village Administrator Steve Stricker explained that while the 71st Street extension to Wolf Road was being engineered, it was discovered that there is a small sliver of land that the Illinois State Tollway Authority still owned. Instead of trying to purchase the land an Intergovernmental Agreement authorizing the acquisition of the permanent easement was prepared. Upon award of a contract for the improvement the Village will pay \$1,000 to the Illinois State Toll Highway Authority.

Motion was made by Trustee Grela and seconded by Trustee Allen to adopt the Resolution as presented.

Roll Call, Vote Was:

AYES: 6 – Trustees Grela, Allen, Paveza, Wott, Sodikoff & DeClouette

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

THIS IS RESOLUTION NO. R-13-09.

RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE ENGINEER TO EXECUTE A LETTER THAT WILL ALLOW THE VILLAGE TO DRAW ON A



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

**LETTER OF COMMITMENT RELATIVE TO OFF-SITE IMPROVEMENTS FOR THE
BURR RIDGE MIXED USE DEVELOPMENT PUD**

Doug Pollock, Community Development Director presented the Resolution which authorizes the Village President and Village Engineer to sign a letter drawing on the letter of commitment relative to the Burr Ridge Mixed Use Development which was developed by Walsh Higgins, Inc. beginning in 1990. The money from this draw would be used toward funding intersection improvements at Madison Street and North Frontage Road and at Madison Street and 79th Street. In all of the various Planned Unit Developments that were approved in that development, there was a reference to a traffic study that required a host of different traffic improvements both on site and off site for this large development.

The PUDs required that the developer pay a contribution based on their impact on those intersections. As the PUDs were coming to an end, five to six years ago, the Village reached an agreement with Walsh Higgins that instead of putting up the cash for a project the Village was not certain of when it would occur, they would put up a letter of commitment with the agreement that when the Village proceeded with the project (the off site traffic improvements) that a draw could be made on that letter and the money used for their contribution for traffic improvements.

Mr. Pollock continued that the engineering staff is working on plans for those improvements at the two intersections and they anticipate that construction will occur in 2011. Staff is asking for authority to draw on the letter of commitment and to obtain the \$132,000 that would then be applied toward the cost of the intersection improvements. He said that the issuer of the letter of commitment has been notified.

In answer to Trustee Sodikoff's question regarding the expiration date of April 2007, Mr. Pollock answered that there is a provision that says that the letter of commitment automatically renews without notice.

Scott Uhler, Village Attorney, stated that it cannot expire until they provide notice, which they never did. If they had, presumably the Village would have drawn on it at that time.

Mr. Pollock stated there has been no substantive response. They acknowledged that they received the letter but there was no indication of whether they will honor the commitment.

Motion was made by Trustee Wott and seconded by Trustee DeClouette to adopt the Resolution as presented.

Roll Call, Vote Was:

AYES: 6 – Trustees Wott, DeClouette, Grela, Allen, Paveza & Sodikoff

A handwritten signature in black ink, appearing to be 'fjt', is located in the bottom right corner of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

THIS IS RESOLUTION NO. R-14-09.

COMMONWEALTH EDISON'S PROPOSED PLANS TO REMOVE/TRIM TREES UNDER TRANSMISSION LINES THROUGHOUT BURR RIDGE

Mayor Grasso said he is hearing nothing but favorable things regarding Commonwealth Edison's trimming of the trees under the transmission lines.

Mr. Stricker stated they are almost done and he has heard no complaints. There are about eight to nine residents working with ComEd and some permits have been issued to remove more than four trees. There are a few properties where ComEd is just taking out a few trees at their expense with no replacements but they have agreed to remove any and all trees a resident requests.

Trustee Sodikoff stated that Mayor Grasso should be recognized for his hard work on this program.

Mayor Grasso said there is no news, one way or the other, on the painting of the poles. They were given a May 1 deadline and there has been no response.

Scott Uhler stated all of the requirements under the existing agreement have been met and the Village will be in a position to take action as of July if there is no response from ComEd.

Mayor Grasso said it is his intention to follow the agreement and start fining them until action is taken.

Kathleen McInerney said she thinks all of the citizens who really pursued and persisted on this matter should be thanked. She continued that nothing was being done until a great number of citizens came forward.

Mayor Grasso agreed that is an accurate statement and that the Village Administrator was on top of the matter from day one.

RECOMMENDATION TO APPROVE SUPPLEMENTAL ROAD PROGRAM CONTRACT

Paul May, Public Works Director, spoke about the fact that there was \$750,000 for the full Road Program this year; consisting of three categories: \$639,750 for the primary resurfacing program that has been bid out – the contract for that was \$516,000 – the net result of very favorable prices that the Village received in large part due to the fact that bidding took place just before a vast number of stimulus related projects. The other two components are \$95,000 for preventive maintenance which is crack filling and striping and \$14,000 for material testing. However due to the fact that the



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

Village was substantially under budget, there is the opportunity to negotiate with that contractor using the prices received in the bid for additional work.

Mr. May continued that one thing taken out of the contract before it was sent to IDOT was the guardrail on 77th Street. The resurfacing of 77th Street has already been approved. The guardrail has been pushed out into the pavement due to the fact that there is a stream that runs around the side and eroded the bank. It is to the point that the guardrail may not stop a vehicle should it be hit. It was removed from the contract because there are various bureaus that get involved, the more things you add. He would like to add it back in now as a supplemental contract. The cost to reconstruct the guardrail as it should be and to reconstruct the stream in a fashion that will not erode into the roadway once again is \$41,409.50.

Mr. May said another consideration is 87th Street between County Line Road and Madison Street consisting of two portions - the eastern section, referred to as a rural section, with ditches on both sides, is a roadway that has never really been improved. There is no curb and gutter from Wedgewood Drive to County Line Road. The western section, from Wedgewood Drive to Madison Street is primarily improved with curb and gutter on both sides. It is planned to resurface both of these pieces in 2012. The residents on the eastern section will be approached to see if they would contribute to the full reconstruction and if they do not, then the entire street will only be resurfaced.

The reason that is programmed for 2012 is due to the fact that this is a relatively large stretch of pavement so this would be a large component of the \$750,000 budget. There are also a few large tracts of land for sale on the north side which, if they were developed prior to 2012, then the developer would be obligated to build that section. Due to the fact that there are favorable prices and a portion of money is not obligated, the engineering staff would recommend that the section which already has curb and gutter be resurfaced at this point.

The cost for resurfacing the western section of 87th Street is \$95,000, based on this year's prices. The Village is \$123,000 under budget for the resurfacing program of the 2009 Road Program.

Mr. Stricker said it is a good project to do and the Village received great prices and even spending the money would still be at budget in terms of what was originally budgeted for the Road Program. His concern is that the economy is still not where it needs to be and revenues continue to fall. There is an additional \$80,000 shortfall seen – sales tax, income tax, which were anticipated are coming in lower than anticipated – actually by \$100,000. There was already a deficit before the end of the last fiscal year.

Mayor Grasso stated that he would still like to take advantage of the low asphalt prices. 87th Street is one of the worst rated roads which translates into a lot more patching. He understands – the Board is being warned about monies – and they have a choice but he thinks the risk should be taken to try and get the work done and do it with low pricing. Because in 2011 or 2012 the Village could be faced with cutting back the road program; the money might be buying a lot less resurfacing.

A handwritten signature in dark ink, appearing to be 'Bjt' or similar, located at the bottom right of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

Mr. May said the east side is a different situation because that would be subject to the reconstruction protocol which would mean that the Village would approach the residents saying the reconstruction has to be a cost sharing agreement. This portion has not been improved since it was annexed. The east side, regardless of what happens in 2012, reconstruction or resurfacing, would be in this condition until then.

In answer to Trustee Wott, Mr. May said the residents have a choice to contribute or not. If they choose not to, then the Village will evaluate the condition and do the best without reconstructing to stabilize it. A special assessment is always an option as well.

After a brief discussion regarding asking the residents to do the reconstruction this year, Mayor Grasso said the eastern side of 87th is worst than the western but the Village only has money and time, it seems, because of contracting, etc. to do the western part.

Trustee Wott said her opinion is to hold off until 2012 as she doesn't see 87th Street as that bad. She would prefer to do the entire thing and be more cautious with the budget just in case things do get ugly.

Trustee Grela agreed with Trustee Wott.

Motion was made by Trustee Grela and seconded by Trustee DeClouette to proceed with the 77th Street guardrail replacement and ditch re-grading project for \$41,409.50.

On Roll Call, Vote Was:

AYES: 6 – Trustees Grela, DeClouette, Sodikoff, Wott, Paveza & Allen

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

Motion was made by Trustee Paveza and seconded by Trustee DeClouette to repave 87th Street from Madison Street to Wedgewood Drive in the amount of \$94,970.50.

On Roll Call, Vote Was:

AYES: 4 – Trustees Paveza, DeClouette, Allen & Sodikoff

NAYS: 2 – Trustees Grela & Wott

ABSENT: 0 – None

There being four affirmative votes, the motion carried.

OTHER CONSIDERATIONS

A handwritten signature in cursive script, likely belonging to a member of the Village of Burr Ridge Board of Trustees, is located at the bottom right of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
May 11, 2009

Trustee Grela thanked the staff and the Topaz restaurant for hosting a wonderful farewell party for Chief Timm.

Trustee Sodikoff asked why there is a No Right Turn sign going west on 79th Street and County Line Road.

Mr. Stricker answered that it is a County sign. There is a hill coming from the south on which people go 45 mph. There have been several accidents.

AUDIENCE There were none at this time.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

Mayor Grasso reminded people to support the Village Center.

ADJOURNMENT Motion was made by Trustee Sodikoff and seconded by Trustee Wott that the Regular Meeting of May 11, 2009 be adjourned to Closed Session to discuss approval of Closed Session Minutes of April 27, 2009 and employment of employee (Village Administrator contract).

On Roll Call, Vote Was:

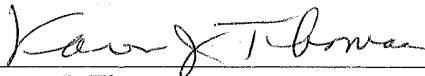
AYES: 6 – Trustees Sodikoff, Wott, Paveza, Allen, Grela & DeClouette

NAYS: 0 – None

NONE: 0 – None

There being six affirmative votes, the motion carried and the meeting was adjourned at 7:59 p.m. to Closed Session.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 26th day of May, 2009.



RECONVENED REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL.

May 11, 2009

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of May 11, 2009 was reconvened at 8:16 p.m. with the same Trustees in attendance as immediately preceding the Closed Meeting from 8:01 p.m. to 8:16 p.m.

RECONVENE AND ADJOURN REGULAR MEETING Motion was made by Trustee Grela and seconded by Trustee Wott that the Regular Meeting of May 11, 2009 be reconvened and adjourned

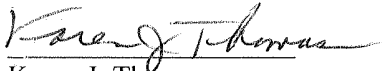
On Roll Call, Vote Was:

AYES 6 – Trustees Grela, Wott, Paveza, Allen, DeClouette & Sodikoff

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried and the Regular Meeting of May 11, 2009 was adjourned at 8:17 p.m.



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois



Scott Uhler, Village Attorney
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 26th day of May, 2009.



**AGENDA
REGULAR MEETING – MAYOR & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE**

**May 11, 2009
7:00 p.m.**

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE – Jenna Barakat
Anne M. Jeans Elementary School**

2. **ROLL CALL**

Oath of Office for Newly Elected Officials

3. **AUDIENCE**

4. **CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

5. **MINUTES**

- *A. Approval of Regular Meeting of April 27, 2009
- *B. Receive and File Draft Hotel Marketing Subcommittee Meeting of April 21, 2009
- *C. Receive and File Draft Downtown Events Planning Committee Meeting of May 4, 2009

6. **ORDINANCES**

7. **RESOLUTIONS**

- A. Consideration of Adoption of Resolution Authorizing Intergovernmental Agreement Between the Illinois Tollway Highway Authority and the Village of Burr Ridge for the Acquisition of a Permanent Easement for the 71st Street Extension
- B. Consideration of Adoption of Resolution Authorizing the Village President and Village Engineer to Execute a Letter that will Allow the Village to Draw on a Letter of Commitment Relative to Off-Site Improvements for the Burr Ridge Mixed Use Development PUD
- *C. Adoption of Resolution Approving Extraterritorial Final Plan Waterfall Glen Executive Center/Planned Development District (DuPage County – 9701 Kingery Highway)

EXHIBIT A

8. CONSIDERATIONS

- A. Update on Commonwealth Edison's Proposed Plans to Remove/Trim Trees under Transmission Lines throughout Burr Ridge
- B. Consideration of Recommendation to Approve Supplemental Road Program Contract
- *C. Approval of Downtown Events Planning Committee Recommendation to Purchase Event Tent
- *D. Approval of Recommendation to Renew Contract with Village Prosecutor
- *E. Consideration of Recommendation to Purchase AutoCAD Upgrade Software
- *F. Approval of Request from the Burr Ridge Park District for General Funds (Farmers Market)
- *G. Approval of Request from I & M Canal National Heritage Corridor for Donation from the Hotel/Motel Tax Fund (Dues)
- *H. Approval of Request from the Pleasant Dale Park District for Hotel/Motel Tax Funds (July 4 Celebration)
- *I. Approval of Request from the Burr Ridge Park District for Hotel/Motel Tax Funds (Harvest Fest)
- *J. Approval of Request from the Flagg Creek Heritage Society for Hotel/Motel Tax Funds
- *K. Receive and File Resignation Letter of Village Planner Aaron Cook
- *L. Approval of FY 08-09 Vendor List
- *M. Approval of FY 09-10 Vendor List
- N. Other Considerations – For Announcement, Deliberation and/or Discussion Only – No Official Action will be Taken

9. AUDIENCE

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

- 11. **CLOSED SESSION** - Approval of Closed Session Minutes of April 27, 2009
 - Employment of Employee (Village Administrator Contract)

12. RECONVENED MEETING

13. ADJOURNMENT